

Holly C. Wallace  
502-540-2309  
holly.wallace@dinslaw.com

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PUBLIC SERVICE  
COMMISSION

June 21, 2006

**Via Hand Delivery**

Hon. Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40601

**Re: *In the Matter of: Petition of West Kentucky Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with ComScape Telecommunications, Inc., Case No. 2006-00230***

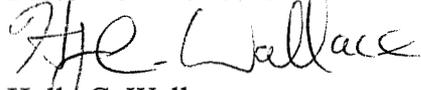
Dear Ms. O'Donnell:

I have enclosed for filing in the above-styled case the original and eleven (11) copies of West Kentucky Rural Telephone Cooperative Corporation, Inc.'s Response to ComScape's June 15, 2006 Letter.

Thank you, and if you have any questions, please call me.

Sincerely,

DINSMORE & SHOHL LLP



Holly C. Wallace

HCW/rk  
Enclosures

cc: Steven E. Watkins (w/encl.)  
John E. Selent, Esq. (w/o encl.)  
Edward T. Depp, Esq. (w/o encl.)

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Petition of West Kentucky Rural Telephone )  
Cooperative Corporation, Inc. for )  
Arbitration of Certain Terms and Conditions of )  
Proposed Interconnection Agreement )  
with ComScape Telecommunications, Inc. )  
Pursuant to the Communications Act of ) Case No. 2006-00230  
1934, as Amended by the Telecommunications )  
Act of 1996 )

**RESPONSE TO COMSCAPE'S JUNE 15, 2006 LETTER**

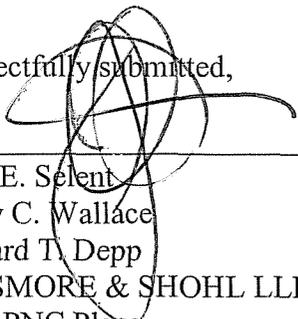
West Kentucky Rural Telephone Cooperative Corporation, Inc. ("West Kentucky"), by counsel, hereby responds to ComScape's June 15, 2006 letter. On May 31, 2006, after attempting to negotiate an interconnection agreement with ComScape Communications, Inc. ("ComScape") for over four months, West Kentucky filed a petition for arbitration in the above-referenced case. After having ignored West Kentucky for four months, ComScape finally responded by letter dated June 15, 2006, stating that it is not active in Kentucky and that it does not wish to be a party "to any arbitration leading to an interconnection agreement with West Kentucky Rural Telephone Cooperative Corporation, Inc. at this time."

ComScape is a signatory to the statewide CMRS agreement executed in Case No. 2003-00045 providing for the delivery and termination of traffic from CMRS providers such as ComScape to rural independent local exchange carriers ("Rural LECs") such as West Kentucky. ComScape's participation in this agreement indicates that ComScape terminates traffic to the Rural LECs, or at least did at the time the statewide agreement was executed. Thus, West Kentucky suspects that ComScape continues to terminate traffic to West Kentucky. If ComScape had not been terminating local traffic to the Rural LECs, it would not have needed to be a signatory to the statewide CMRS

agreement. This voluntary BellSouth arrangement terminates at the end of 2006. Therefore, if ComScape intends to terminate traffic subject to the terms of local interconnection to West Kentucky after December 31, 2006, then ComScape must execute an interconnection agreement with West Kentucky.

Nonetheless, West Kentucky would be willing to withdraw its Petition for Arbitration only if ComScape is willing to warrant unequivocally that it will not terminate any traffic to West Kentucky that would be subject to the terms of interconnection under Section 251(b)(5) of the Act. As such, ComScape must state in a sworn affidavit to be filed with the Commission and West Kentucky that (a) ComScape will arrange for interexchange carriers to terminate all of ComScape's traffic with respect to West Kentucky; (b) all traffic of ComScape that may terminate to West Kentucky will be terminated by interexchange carriers; (c) ComScape agrees that West Kentucky's relationship for the termination of this traffic is solely with the interexchange carrier that obtains terminating switched access services from West Kentucky; and (d) ComScape agrees that all of such traffic will be subject to the terms of switched access with the interexchange carrier and that none of this traffic will be subject to the requirements of Section 251(b)(5) of the Act. Moreover, ComScape must also warrant that it will not deliver, or attempt to deliver, any traffic to West Kentucky via BellSouth's tandem(s) or any other tandem provider unless both ComScape and any tandem provider have put in place with West Kentucky proper agreements, acceptable to West Kentucky, that would cover any such voluntary arrangements.

Respectfully submitted,



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John E. Selent  
Holly C. Wallace  
Edward T. Depp  
DINSMORE & SHOHL LLP  
1400 PNC Plaza

500 W. Jefferson Street  
Louisville, KY 40202  
(502) 540-2300  
(502) 585-2207

**COUNSEL TO WEST KENTUCKY  
RURAL TELEPHONE COOPERATIVE  
CORPORATION, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by Federal Express on this 21<sup>st</sup> day of June, 2006, to the following individual(s):

Bhugin M. Modi  
ComScape Telecommunications, Inc.  
1926 10<sup>th</sup> Avenue North  
Suite 305  
West Palm Beach, FL 33461

  
\_\_\_\_\_  
**COUNSEL TO WEST KENTUCKY  
RURAL TELEPHONE COOPERATIVE  
CORPORATION, INC.**

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